

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**AMERICAN PRESIDENT
LINES, LTD., et al.,**

Plaintiffs,

v.

**Civil Action 2:17-cv-400
Chief Judge Edmund A. Sargus, Jr.
Magistrate Judge Jolson**

XPO INTERMODAL, INC.,

Defendant.

ORDER

Consistent with this Court May 10, 2017 Order, Plaintiffs have submitted the documents relevant to their Motion for Leave to Seal for *in camera* inspection. The Court has reviewed those documents bearing in mind that Plaintiffs are seeking to seal them consistent with Section 15 of the Amended and Restated Stacktrain Services Agreement. (Doc. 5 at 3). As this Court has observed, however, “[t]he public has a strong interest in obtaining the information contained in the court record.” *Shane Grp., Inc. v. Blue Cross Blue Shield of Mich.*, __ F.3d __, No. 15-1544, 2016 WL 3163073, at *3 (6th Cir. June 7, 2016) (quoting *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1180 (6th Cir. 1983)). Balancing the parties’ agreement against the “‘strong presumption in favor of openness’ as to court records” *id.* (quoting *Brown & Williamson*, 710 F.2d at 1179), the Court finds that a temporary seal is appropriate.

Here, Plaintiffs filed a redacted version of its Motion to Compel Arbitration prior to being granted permission to do so by this Court. (*See* Doc. 3). Although the Court does not look favorably on that decision, the Court will allow the redacted document to stand in light of this

decision to allow a temporary seal. However, Plaintiffs' exhibits have not been filed publicly on the Court's docket. Hence, Plaintiffs are **DIRECTED** to file a public redacted version of the exhibits. In light of the foregoing, the Motion to Seal (Doc. 5) is **GRANTED** temporarily. Once defense counsel has entered an appearance in this case, counsel are **DIRECTED** to contact this Court to schedule a status conference concerning the scope and ongoing need for the seal.

IT IS SO ORDERED.

Date: May 11, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE